

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE TRUSTEES OF THE UNITED TEAMSTER  
FUND and THE TRUSTEES OF THE UNITED  
TEAMSTER PENSION FUND "A"

Case No. 07 CV 10476  
(TPG) (FM)

Plaintiffs,

**PROPOSED**  
**DEFAULT JUDGMENT**

-against-

M.Y. PRODUCE, INC. and  
YOUNG KIM,

Defendants.

-----X  
This action having been commenced on November 20, 2007, by the filing of the  
Summons and Complaint, and a copy of the Summons and Complaint having been personally  
served upon each of the Defendants in this action on November 29, 2007 by personal service on  
Carol Vogt, a Clerk in the Office of the New York Secretary of State, in the City of Albany, State  
of New York and Defendant Young Kim, an individual Defendant in this action, by personal  
service upon him, at his place of business located at 264-265 Hunts Point Terminal Market, Row  
B, Bronx, New York 10474 on November 30, 2007, and proof of such service thereof having  
been filed with the Court on April 19, 2007 and April 23, 2007, and the time for answering the  
Complaint having been expired on December 20, 2007, and with the receipt of the Clerk's  
Certificate of Default dated March 11, 2008, it is

ORDERED, ADJUDGED AND DECREED, that the Plaintiffs have judgment against  
Defendants M.Y. Produce Inc ("M.Y. Produce") and Young Kim, located at 264-265 Hunts Point  
Terminal Market, Row B, Bronx, New York 10474, on the first cause of action for breach of  
contract against Defendants M.Y. Produce and Young Kim for an order in favor of Plaintiffs and

against Defendants M.Y. Produce and Young Kim; on the second cause of action for violations of Collective Bargaining Agreement, Trust Agreements and provisions of ERISA, for an Order in favor of Plaintiffs and against Defendants M.Y. Produce and Young Kim; and on the third cause of action for breach of fiduciary duty against Defendant Young Kim, for an Order in favor of Plaintiffs and against Defendant Young Kim and for such other and further relief as the Court deems just and proper;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties are directed to appear for an inquest before the Court at \_\_\_\_\_, in Courtroom \_\_\_\_\_, on the date of \_\_\_\_\_, 2008, in the forenoon, to take an account and determine the amount of damages, interest, liquidated damages, expenses, costs, and attorney's fees to which the Plaintiffs are entitled pursuant to the judgment of this Court.

Dated: New York, New York  
April 16, 2008

\_\_\_\_\_  
U.S.D.J.

This document was entered on the  
docket on \_\_\_\_\_.